

GAHC010038292025



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**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : MACApp./90/2025**

THE NEW INDIA ASSURANCE CO. LTD.  
A COMPANY REGISTERED UNDER THE COMPANIES ACT, 1956. REP. BY ITS  
REGIONAL MANAGER, G.S. ROAD, GUWAHATI-7.

VERSUS

BIJEET GOGOI  
S/O. SRI PRADIP GOGOI, R/O. JULIGURI GAON, P/O. LAHOWAL, P/S.  
LAHOWAL, DIST. DIBRUGARH, ASSAM-786010.

2:GOPINATH SONOWAL  
S/O. KULESWAR SONOWAL  
R/O. VILL.- NAHARONI GAON  
P/O. NAHARONI VIA BORBORUAH  
P/S. BORBORUAH  
DIST. DIBRUGARH  
ASSAM-786007.

3:LAKHINATH KONWAR  
S/O. LATE GOKUL KONWAR  
R/O. JULIGURI GAON  
P/O. LAHOWAL  
P/S. LAHOWAL  
DIST. DIBRUGARH  
ASSAM-786010

For the Appellant(s) : Mr. A. Acharya, Advocate

For the Respondent(s) : None appears.

**BEFORE  
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

**ORDER**

**Date : 26.03.2025**

Heard Mr. A. Acharya, the learned counsel appearing on behalf of the Appellant Insurance Company.

2. This is an appeal filed under Section 173 of the Motor Vehicles Act, 1988 challenging the judgment and award dated 14.11.2024 passed by the learned Member, Motor Accident Claims Tribunal, Dibrugarh in MAC Case No.42/2019 whereby the learned Tribunal awarded an amount of Rs.5,40,000/- along with interest @7% per annum from the date of filing of the claim petition till payment to the claimant.

3. The grounds of objection made by the Appellant Insurance Company in the instant matter are two folds. First that the learned Tribunal did not properly appreciate the evidence of DW-1 in coming to the conclusion that the Driving License of the driver of the vehicle was not valid. The second ground of objection so taken is that the medical bills which were so submitted were in the tune of Rs.3,90,000/- however the learned Tribunal had granted an amount of Rs.4,50,000/- on account of medical expenses.

4. Taking into account the said grounds of objection, the instant appeal stands admitted.

5. Call for the records.

6. The appellant is directed to take steps upon the respondent by way of Registered Post with A/D as well as through usual process within 3

(three) days.

7. List this matter after completion of service and receipt of the LCR.

**JUDGE**

**Comparing Assistant**